



Atty. Docket No.: 9409/2122

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Parmentier et al.  
Serial No.: 09/011,797  
Filed: July 23, 1998  
Titled: Nucleic acid molecules encoding  
peptides having pronociceptive  
properties

Examiner: Murphy, J.

Group Art Unit: 1646

Conf. No.: 1370

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on July 15, 2003 in an envelope addressed to Mail Stop: Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kathleen M. Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

**Mail Stop: Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**Rule 132 Declaration of Daniel Altman**

I, Daniel Altman declare as follows:

1. I, Daniel Altman, am a Partner at Knobbe Martin Olson & Bear, and am registered to practice before the U.S. Patent and Trademark Office under the Registration number 34,115.
2. On August 2, 1995, a letter (Exhibit A) was sent from Office Van Maldren (Belgium; acting at that time as European counsel to Applicants) to my office indicating that a document would be sent to me entitled "Ligand of the ORL<sub>1</sub> Receptor" for filing as a Provisional Application in the U.S. The letter of August 2, 1995 also requested that I prepare an assignment and small entity declaration to be signed by the inventors.
2. On August 3, 1995, my office sent a letter (Exhibit B) to Office Van Maldren indicating that action was being taken on the request set forth in the August 2<sup>nd</sup> letter.

3. On August 4, 1995, my office sent a letter (Exhibit C) to Office Van Maldren enclosing an assignment and small entity declaration for signature by the inventors of the above-captioned application.

4. On August 7, 1995, a letter (Exhibit D) was sent via facsimile from Office Van Maldren to me enclosing two specifications (one of which was the specification for the 60/002,368 provisional application, to which the present application claims priority), and requesting that the specifications be filed in the U.S. as Provisional patent applications.

5. On August 8, 1995, my office sent a facsimile transmittal sheet (Exhibit E) to Office Van Maldren indicating that we were in receipt of the facsimile letter of August 7, 1995, and that we would await the original copies of the documents to arrive by regular mail before filing the provisional application in the U.S.

6. On August 14, 1995, the original copy of the letter (Exhibit F(1) and (2)) of August 7, 1995 from Office Van Maldren to Mr. Altman was received by our office. Exhibit F1 shows the front of the original copy of the August 7, 1995 letter indicating that the letter had been previously transmitted by telecopier. Exhibit F2 shows the reverse side of the original copy of the letter of August 7, 1995, and shows that the original copy of the letter was received and date stamped by my office on August 14, 1995.

7. On August 15, 1995, I filed the specification which would become U.S. Provisional Application Serial No. 60/002,368 in the U.S. Patent Office.

8. During the period from August 7, 1995 to August 15, 1995, I maintained a full docket, and exercised diligence in the preparation of provisional patent application 60/002,368.

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Respectfully submitted,

Date: July 14, 2003

  
Daniel Altman